

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY


(Chapter II of the Patent Cooperation Treaty)

REC'D 11 MAY 2005

WIPO

PCT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference		FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/EP2004/004799		International filing date (day/month/year) 28.04.2004	Priority date (day/month/year) 09.06.2003	
International Patent Classification (IPC) or national classification and IPC C11D3/39, C11D3/16, C11D3/50				
Applicant UNILEVER PLC et al.				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> sent to the applicant and to the International Bureau) a total of sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (Indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 27.10.2004		Date of completion of this report 10.05.2005		
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized Officer Pfannenst€in, H Telephone No. +49 89 2399-8217		



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/004799

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language, which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1-24 as originally filed

Claims, Numbers

1-17 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing *(specify)*:
 - ☐ any table(s) related to sequence listing *(specify)*:
 4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing *(specify)*:
 - ☐ any table(s) related to sequence listing *(specify)*:

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2004/004799

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-17
	No: Claims	
Inventive step (IS)	Yes: Claims	1-17
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-17
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V

- 1) Reference is made to the following documents:

D1 WO-A-0116271

D2 WO-A-03033635

D3 US-A-2003/0054968.

- 2) The present application relates to air bleaching compositions that have improved storage properties.
The examples demonstrate that ketonic perfumes show improved storage stability if additionally an antioxidant is present.

D1 (example 3, composition 9) describes bleaching compositions free of peroxygen bleach comprising a bleach catalyst (metal complex for bleaching a substrate) for atmospheric oxygen, 1,6% perfume, 7,56% monoethanolamine which is an antioxidant, adjuncts and carrier. Claim 1 differs from D1 in that in claim 1 the perfume comprises at least 0,01% of an aldehydic perfume.

D1 relates to chemically and physically storage stable bleaching compositions. In D1 (page 67) sequestrants like EDTA and EDTMP may be added to improve the stability of sensitive ingredients such as perfumes. Details about perfumes are not disclosed therein.

In D2 compositions comprising ketonic perfumes and an amine are disclosed for long lasting benefit on substrates.

D3 (examples, claims) describes bleaching compositions free of peroxygen bleach comprising a bleach catalyst (metal complex for bleaching a substrate) for atmospheric oxygen, 0,46% perfume, 0,1-1,04 and 5,5% antioxidant including citric acid (which is also an antioxidant), adjuncts, carrier. Claim 1 differs from D3 in that in claim 1 the perfume comprises at least 0,01% of an aldehydic perfume. Thus the subject-matter of claims 1 and 17 is novel.

D3 relates to reduced malodour of the bleaching composition comprising an unsaturated surfactant, a different problem as in the present application.

To summarize, the subject-matter of claims 1 and 17 is inventive.

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/EP2004/004799

- 3) There are application numbers on page 10, I.1-2 and not the publication numbers.
- 4) The term substantially in claim 1 is vague and indefinite and as such renders the scope of the claim 1 unclear, there is a precise term in the description, see page 3.